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5 *Attorneys for Defendant Capital One Bank (USA), N.A.,
erroneously sued as Capital One Services, LLC*

6
7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF NEVADA**

9 JELMER HOEKSTRA,

10 Plaintiff,

11 v.

12 CREDIT ONE BANK, N.A.; CAPITAL ONE
SERVICES, LLC; and AMERICAN EXPRESS
13 NATIONAL BANK,

14 Defendants.

Case No. 2:21-CV-02082-GMN-VCF
Assigned to The Hon. Gloria M. Navarro,
Referred to the Hon. Magistrate Judge Cam
Ferenbach

**STIPULATION AND ORDER TO
EXTEND DEFENDANT CAPITAL ONE
BANK (USA), N.A.'S TIME TO RESPOND
TO PLAINTIFF JELMER HOEKSTRA'S
COMPLAINT**

(FIRST REQUEST)

Complaint Filed: November 20, 2021
TRIAL DATE: NONE SET

17 Pursuant to Local Rules 6-1 and 6-2, defendant Capital One Bank (USA), N.A. ("Capital
18 One"), erroneously sued as "Capital One Services, LLC," and plaintiff Jelmer Hoesktra ("Plaintiff"),
19 by and through their counsel of record, hereby submit this Stipulation To Extend Capital One's Time
20 to Respond to Plaintiff's Complaint, as follows:

21 **WHEREAS:**

- 22 1. Plaintiff filed the Complaint in this matter in this Court on November 20, 2021;
- 23 2. Capital One was served with the Complaint on November 30, 2021, which provides for
24 a current responsive pleading deadline of December 21, 2021;
- 25 3. On December 20, 2021, counsel for Capital One conferred with counsel for Plaintiff
26 regarding Capital One's initial findings and request for information, which may have an impact on
27 whether an early resolution is available before incurring further litigation costs;
- 28

1 4. During this conference, the parties agreed to a three-week extension for Capital One to
2 file its response to the Complaint, such that the responsive pleading deadline would be January 11,
3 2022;

4 5. This is the first extension sought in connection with this deadline;

5 6. This extension is requested due to the upcoming holidays, as well as to allow the parties
6 time to continue investigating Plaintiff's claims and exploring the potential for an early resolution; and

7 7. Neither Plaintiff nor any other party to this action will be prejudiced by the Court
8 granting Capital One the requested relief. Also, the requested extension is not for the purposes of
9 unnecessary delay.

10 **NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:**

11 Capital One's time to file a responsive pleading to Plaintiff's Complaint is extended. Capital
12 One shall file its responsive pleading on or before January 11, 2022.

13 DATED this 20th day of December, 2021

 DATED this 20th day of December, 2021

14 McDONALD CARANO LLP

 FREEDOM LAW FIRM

15 By: /s/ Jeff Silvestri

 By: /s/ Gerardo Avalos

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 Attorneys for Plaintiff
 Jelmer Hoekstra

23 **ORDER**

24 IT IS SO ORDERED:

25 
26 UNITED STATES MAGISTRATE JUDGE

27 DATED: 12-21-2021